

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Yu-Liang Lin et al.
Serial Number: 10/797,854
Filing Date: March 10, 2004
Title of Invention:
Circuit Board Adapted to Fan and Fan
Structure
Attorney Docket No.: Q1220

Group Art Unit: 2816
Examiner: Koczo Jr., Michael

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Dear Sir or Madam:

In response to the restriction/election requirement office action dated July 17, 2007, applicants hereby elect Species F: figure 7, drawn to circuit boards comprising a protrusion having a cutout and fan structure including such a circuit board, as set forth in claims 1, 3, 7~12 and 18~20.

Applicants' election is made with traverse.

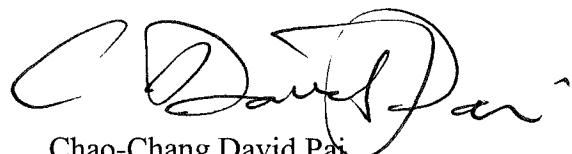
The examiner's restriction requirement is based on his assertion that the claims are directed to various patentably distinct species. However, when restriction is required of distinct species, the examiner must also demonstrate that there would be a serious burden if the restriction were not required. In this restriction office action, not even a scintilla of evidence is on record that would show a serious burden on the examiner. In fact, the examiner did not claim that there would be a serious burden. Therefore, the examiner fails to make a *prima facie* case for restriction. Therefore, the applicants respectfully request that the restriction requirement be withdrawn.

Moreover, contrary to what the examiner claims, claims 1 and 12 are generic claims to all the species listed by the examiner. Note that from its context in the specification, figure 7 is understood to have a heat-dissipative film coated on an edge portion of the first surface and in contact with the heat-generating component as recited in claims 1 and 12.

Among the distinct species listed by the examiner are: Species C: figure 4A; and Species G: the unillustrated species wherein a heat sink is formed on the surface opposite to the surface of the circuit board provided with the heat-dissipative film. However, Species G as described by the examiner is illustrated by figure 4B. (Note that FIG. 4B is a cross-sectional view taken along the line A – A' of FIG. 4A as indicated in the specification. See paragraph 0033 and "Brief Description of the Drawings".) Therefore, if the examiner considers FIG. 4A and FIG. 4B to correspond to distinct species, the applicants respectfully disagree.

Reconsideration and withdrawal of the restriction requirement is requested. In any event, an action on the merits of at least the elected claims and a Notice of Allowance thereof are respectfully requested.

Respectfully submitted,



Date: August 16, 2007

Chao-Chang David Pai
Attorney for Applicants
Reg. No. 51,195
Pai Patent & Trademark Law Firm
1001 Fourth Ave., Suite 3200
Seattle, WA 98154
Tel: 206-372-3162